



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 5, 2014

VIA ECF AND HAND DELIVERY

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. \$49,150
14 Civ. 2998 (PKC)

Dear Judge Castel:

The Government respectfully submits this letter to request that a status conference be scheduled in this matter on or about August 15, 2014, for the reasons set forth below.

On April 28, 2014, this action was commenced by the filing of a Verified Complaint. Courtesy copies of this Complaint were submitted to Chambers today. No persons or entities are charged; rather, this is an action *in rem* brought under the asset forfeiture laws of the United States. The Government alleges that the Defendant-*in-rem* should be forfeited to the United States, pursuant to Title 21, United States Code, Section 881(a)(6) as moneys furnished or intended to be furnished in exchange for a controlled substance, proceeds traceable to such an exchange, and/or moneys used or intended to be used to facilitate such an exchange.

In accordance with the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims (the "Supplemental Rules"), which govern civil forfeiture actions, the Government has sent direct notice of this judicial forfeiture action to potential claimants known to the Government. Pursuant to Supplemental Rule G(4)(b)(i), these parties have 35 days after the Government has sent notice to file a claim with the Clerk of Court. The most recent notices were issued on or about May 1, 2014. As such, the time for those parties to file a claim will expire on or about June 5, 2014.

In addition, in accordance with the Supplemental Rules, the Government will begin publication on or about mid-May, and publication will expire on or about mid-June. In accordance with Title 18, United States Code, Section 983(a)(4), any person claiming an interest in the Defendant-*in-rem* who wishes to contest the forfeiture may file a claim "in the manner set forth in the Supplemental Rules ... not later than 30 days after the date of final publication of notice of the filing of the complaint." In this case, as publication will not conclude until mid-June, any party claiming an interest in the property alleged to be forfeited will have until mid-

July to file a claim. After this deadline, either the Government will be able to file for a default judgment if no claims have been made to the Defendant-in-rem, or the Court will be able to adjudicate this matter in light of any claims filed. If claims are filed, an answer or motion must be filed within 21 days after the filing of the claim.

For the foregoing reasons, the Government respectfully requests that an initial pretrial conference be scheduled for a date on or about August 15, 2014.

Very truly yours,

PREET BHARARA
United States Attorney

by: /s/ Carolina A. Fornos
Carolina A. Fornos
Assistant United States Attorney
(212) 637-2740

Enclosures